

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

DTG OPERATIONS, INC., THRIFTY)
RENT-A-CAR SYSTEM, INC., and DOLLAR)
RENT A CAR, INC.,)
)
Plaintiffs,)
)
v.) **Case No. 10-CV-0279-CVE-FHM**
)
U RIDE II, LLC and DAVID ANDERSON,)
)
Defendants.)

DEFAULT JUDGMENT

This matter comes on for consideration of Plaintiffs' Motion for Default Judgment (Dkt. # 14). Plaintiffs DTG Operations, Inc. (DTG), Thrifty Rent-A-Car System, Inc. (Thrifty), and Dollar Rent A Car, Inc. (Dollar) filed this case alleging that defendants U Ride II, LLC (U Ride) and David Anderson breached licensing agreements allowing defendants to use certain trademarks of plaintiffs. Plaintiffs seek monetary damages for past trademark infringement and injunctive relief to prevent future trademark infringement. Plaintiffs filed a Request for Entry of Default by the Clerk (Dkt. # 12), and the Court Clerk entered defendants' default (Dkt. # 13) on July 15, 2010. Pursuant to Fed. R. Civ. P. 55(a), default judgment is appropriate when "a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise." The Court finds that defendants have failed to file a responsive pleading or otherwise defend against plaintiffs' claims, and default judgment should be entered in favor of plaintiffs and against defendants.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiffs' Motion for Default Judgment (Dkt. # 14) is **granted**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that default judgment is hereby entered in favor of plaintiff DTG Operations, Inc. and against defendants U Ride II, LLC and David Anderson in the amount of \$52,400, plus post-judgment interest thereon from this date at the rate of .28 % per annum, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that default judgment is hereby entered in favor of plaintiff Thrifty Rent-A-Car System, Inc. and against defendants U Ride II, LLC and David Anderson in the amount of \$42,200, plus post-judgment interest thereon from this date at the rate of .28 % per annum, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that default judgment is hereby entered in favor of plaintiff Dollar Rent A Car, Inc. and against defendants U Ride II, LLC and David Anderson in the amount of \$6,300, plus post-judgment interest thereon from this date at the rate of .28 % per annum, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that defendants U Ride and Anderson, and their agents, servants, employees, and those in active concert with them, are permanently enjoined from displaying, either directly or indirectly, Thrifty's mark, which is registered on the principal register of the United States Patent and Trademark Office under the registration numbers 816,350, 880,666, and 986,155 (the Thrifty Marks), trade dress, or any mark, word, or name similar to the Thrifty Marks which is likely to cause confusion or mistake, or to deceive on signs, letters, literature, advertisements or other printed material, in a manner, style or form which imitates or is confusingly similar to Thrifty's use of the Thrifty Marks or otherwise indicates or tends to represent that defendants are authorized, associated, affiliated, sponsored or approved by Thrifty.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that defendants U Ride and Anderson, and their agents, servants, employees, and those in active concert with them, are permanently enjoined from displaying, either directly or indirectly, Dollar's mark, which is registered on the principal register of the United States Patent and Trademark Office under the registration numbers 948,360, 1,493,576, 1,492,628, 1,825,518, and 2,326,037 (the Dollar Marks), trade dress, or any mark, word, or name similar to the Dollar Marks which is likely to cause confusion or mistake, or to deceive on signs, letters, literature, advertisements or other printed material, in a manner, style or form which imitates or is confusingly similar to Dollar's use of the Dollar Marks or otherwise indicates or tends to represent that defendants are authorized, associated, affiliated, sponsored or approved by Dollar.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that defendants U Ride and Anderson account to Thrifty for any and all profits derived from the use of the Thrifty Marks after April 8, 2010.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that defendants U Ride and Anderson account to Dollar for any and all profits derived from the use of the Dollar Marks after April 8, 2010.

DATED this 22nd day of July, 2010.



CLAIRES V. EAGAN, CHIEF JUDGE
UNITED STATES DISTRICT COURT